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Docket No.: 000166.0109-US02
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David Edwards et al.

Application No.: 10/771,551

Group Art Unit: 3743

Filed: February 5, 2004

Examiner: Not Yet Assigned

For: INHALATION DEVICE AND METHOD

06/30/2004 EFLORES 00000112 10771551

01 FC:1808

130.00 OP

TRANSMITTAL LETTER

Filing Receipt Corrections
Office of Initial Patent Examination
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Fee Transmittal;
2. Statement under 37 C.F.R. 1.63(d)(2);
3. Request for Corrected Filing Receipt;
4. Marked-up copy of the official Filing Receipt;
5. Check No. 330526 for \$130.00 to cover the processing fee for change of inventorship; and
6. Return receipt postcard.

06/30/2004 EFLORES 00000112 10771551

01 FC:1808

130.00 OP

06/29/2004 EFLORES 00000084 10771551

01 FC:1460

130.00 OP

DC: 1452928-1

Adjustment date: 06/30/2004 EFLORES

06/29/2004 EFLORES 00000084 10771551

01 FC:1460

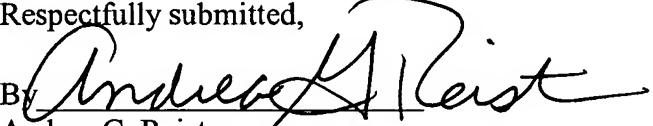
-130.00 OP

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0740, under Docket No. 000166.0109-US02. A duplicate copy of this paper is enclosed.

It is not believed that extensions of time fees are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 50-0740.

Dated: June 25, 2004

Respectfully submitted,

By 
Andrea G. Reister

Registration No.: 36,253
COVINGTON & BURLING
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004-2401
(202) 662-6000
Attorney for Applicant



Docket No.: 000166.0109-US02
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David Edwards et al.

Application No.: 10/771,551

Confirmation No.: 2801

Filed: February 5, 2004

Art Unit: 3743

For: INHALATION DEVICE AND METHOD

Examiner: Not Yet Assigned

REQUEST FOR CORRECTED FILING RECEIPT

Filing Receipt Corrections
Office of Initial Patent Examination
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that a corrected Filing Receipt be issued in the above-identified patent application. It is requested that the inventorship data be corrected as listed below. A marked-up copy of the filing receipt with changes noted in red is attached.

The above-identified application is a divisional application that has fewer than all of the inventors named in the prior application. This Request for Corrected Filing Receipt is filed concurrently with a Statement under 37 CFR § 1.63(d)(2), which allows the deletion of inventors without the filing of a new oath or declaration. The Application Data Sheet filed with the divisional application was correct in that it listed only the inventors that contributed to the claims in this divisional application.

Under the section for Applicant(s), please delete the name of the following inventors:

Sarah Dressen;

Mark DeLong;

Andrew Jones;

Ryan McManus;

Margaret Millar Saunders;

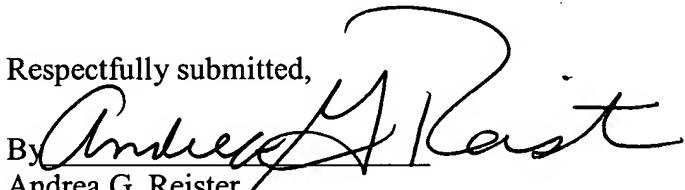
Robert W. Spaller; and

Andrew Ziegler.

Applicant additionally requests that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

Dated: June 25, 2004

Respectfully submitted,

By 
Andrea G. Reister

Registration No.: 36,253
COVINGTON & BURLING
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004-2401
(202) 662-6000
Attorney for Applicant

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

Complete if Known	
Application Number	10/771,551-Conf. #2801
Filing Date	February 5, 2004
First Named Inventor	David Edwards
Examiner Name	Not Yet Assigned
Art Unit	3743
Attorney Docket No.	000166.0109-US02

METHOD OF PAYMENT (check all that apply)					FEE CALCULATION (continued)																																																																																																																																																																																						
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ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th colspan="2">Fee Description</th> <th>Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th></th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for ex parte reexamination</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td></tr> <tr><td colspan="2">Other fee (specify)</td><td>1808</td><td colspan="2">Processing fee, except in provisional applications</td></tr> <tr> <td colspan="2"></td><td></td><td></td><td>130.00</td></tr> <tr> <td colspan="2">SUBTOTAL (1) (\$)</td><td>0.00</td><td colspan="2">SUBTOTAL (3) (\$)</td><td>130.00</td></tr> <tr> <td colspan="6">*Reduced by Basic Filing Fee Paid</td> </tr> <tr> <td colspan="6">**or number previously paid, if greater; 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Name (Print/Type)	Andrea G. Reister		Registration No. (Attorney/Agent)	36,253	Telephone	(202) 662-6000																																																																																																																																																																																					
Signature			Date	June 25, 2004																																																																																																																																																																																							

O I P E JUN 25 2004
U S P A T E N T O F F I C E
Docket No.: 000166.0109-US02
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David Edwards et al.

Application No.: 10/771,551

Confirmation No.: 2801

Filed: February 5, 2004

Art Unit: 3743

For: INHALATION DEVICE AND METHOD

Examiner: Not Yet Assigned

STATEMENT UNDER 37 C.F.R. 1.63(D)(2)

Filing Receipt Corrections
Office of Initial Patent Examination
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 1.63(d)(2), it is hereby requested that the following inventors be deleted because they are not inventors of the subject matter claimed in the above-captioned divisional application:

Sarah Dressen;

Mark DeLong;

Andrew Jones;

Ryan McManus;

Margaret Millar Saunders;

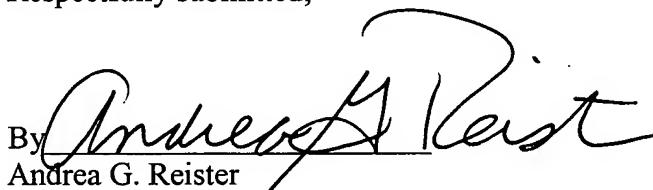
Robert W. Spaller; and

Andrew Ziegler.

The above-captioned application is a divisional of prior application number 10/268,059, filed October 10, 2002. In accordance with 37 C.F.R. § 1.63(d)(1), a newly executed oath or declaration is not required in a divisional application provided that the divisional application is filed by all or fewer than all of the inventors named in the prior application, and that a copy of the declaration filed in the prior application is submitted for the divisional application. The above-captioned application was filed by fewer than all of the inventors named in the prior application, and a copy of the declaration filed in the prior application was submitted. In accordance with 37 C.F.R. § 1.63(d)(2), the copy of the declaration in the divisional application must be accompanied by a statement requesting the deletion of the names of the persons who are not inventors in the divisional application. The U.S. Patent and Trademark Office is hereby requested to treat this paper as the statement under 37 C.F.R. § 1.63(d)(2), and delete the names of the persons listed above who are not inventors in the above-captioned divisional application.

Dated: June 25, 2004

Respectfully submitted,

By 
Andrea G. Reister

Registration No. 36,253
COVINGTON & BURLING
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004-2401
(202) 662-6000
Attorney for Applicant



JUN 25 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1150
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/771,551	02/05/2004	3743	1856	000166.0109-US02	20	66	6

26853
 COVINGTON & BURLING
 ATTN: PATENT DOCKETING
 1201 PENNSYLVANIA AVENUE, N.W.
 WASHINGTON, DC 20004-2401

CONFIRMATION NO. 2801

FILING RECEIPT



"OC000000012529509"

Date Mailed: 05/05/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

David Edwards, Boston, MA;
 Colleen Conlon, Somerville, MA;
 David L. Foshee, Apex, NC;
 Jason R. Durkin, Apex, NC;
 Tim Coker, Merrimack, NH;
 Kevin Stapleton, Boston, MA;
 Sarah Dreesen, Medford, MA;
 Mark Detong, Newton, MA;
 Andrew Jones, Roslindale, MA;
 Ryan McManus, Cambridge, MA;
 Margaret Millar-Saunders, Cambridge, MA;
 Robert W. Spaller, Amesbury, MA;
 Andrew Ziegler, Arlington, MA;

Assignment For Published Patent Application

Advanced Inhalation Research, Inc., Cambridge, MA;

Domestic Priority data as claimed by applicant

This application is a DIV of 10/268,059 10/10/2002 PAT 6,732,732
 which is a CIP of 09/835,302 04/16/2001

Foreign Applications

If Required, Foreign Filing License Granted: 05/04/2004

Projected Publication Date: 08/12/2004

Non-Publication Request: No

Early Publication Request: No

Title

Inhalation device and method

Preliminary Class

128

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).